

(Mr. TORRICELLI) was added as a cosponsor of S. 277, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 282

At the request of Mr. HARKIN, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 282, a bill to establish in the Antitrust Division of the Department of Justice a position with responsibility for agriculture antitrust matters.

S. 283

At the request of Mr. MCCAIN, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. KERRY), and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 283, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue code of 1986 to protect consumers in managed care plans and other health coverage.

S. 284

At the request of Mr. MCCAIN, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. KERRY), and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 284, a bill to amend the Internal Revenue Code of 1986 to provide incentives to expand health care coverage for individuals.

S. RES. 16

At the request of Mr. THURMOND, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 16, a resolution designating August 16, 2001, as "National Airborne Day."

AMENDMENTS SUBMITTED & PROPOSED

SA 2. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table.

SA 3. Mrs. BOXER (for herself, Ms. MIKULSKI, Mr. WELLSTONE, Mr. MURKOWSKI, Mrs. FEINSTEIN, Mrs. CARNAHAN, and Mr. GRASSLEY) proposed an amendment to the bill S. 235, supra.

SA 4. Mr. MCCAIN (for himself and Mr. HOLLINGS) proposed an amendment to the bill S. 235, supra.

SA 5. Mr. MCCAIN (for Mr. REED) proposed an amendment to the bill S. 235, supra.

SA 6. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, supra; which was ordered to lie on the table.

SA 7. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, supra; which was ordered to lie on the table.

SA 8. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, supra; which was ordered to lie on the table.

SA 9. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, supra; which was ordered to lie on the table.

SA 10. Mr. CORZINE (for himself, Mr. TORRICELLI, Ms. CANTWELL, Mrs. MURRAY, and Mr. BINGAMAN) proposed an amendment to the bill S. 235, supra.

SA 11. Mr. NICKLES (for Mr. MCCONNELL) proposed an amendment to the concurrent resolution H. Con. Res. 14, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

TEXT OF AMENDMENTS

SA 2. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table; as follows:

Following Subsection (b), AUTHORITY TO IMPOSE LIMITATION'S, insert the following:

"(c) LIMITATION ON AUTHORITY.—

"(1) The interim regional price limitation, or cost-of-service based rate, shall not apply to any sale of electric energy at the wholesale rate for delivery in a state that—

"(A) has barred regulated utilities from passing through to retail consumers FERC-mandated wholesale rates, or

"(B) has instituted caps on the retail prices that regulated utilities can charge that are too low for the regulated utilities to recover costs on a cost-of-service based rate or that have resulted in the default of payments to other utilities within the region comprising the Western Systems Coordinating Council.

"(2) Notwithstanding any other provision of law, neither the Secretary nor the Commission may order the sale of electricity or natural gas into any state that meets the criteria set forth in subsection 1, unless there is a guarantee that the seller will be paid.

"(3) Notwithstanding any other provision of law, state public utility commissions within the region comprising the Western Systems Coordinating Council may require that regulated utilities under their respective jurisdictions meet the electricity demands of that utility's service area before making sales into any state that meets the criteria set forth in subsection 1.

"(d) INQUIRIES.—

"(1) The Commission is directed to undertake an examination to determine whether, within the region comprising the Western Systems Coordinating Council, any sale of electric energy at the wholesale rate in interstate commerce subject to the jurisdiction of the Commission under part II of the Federal Power Act is unjust, unreasonable, or unduly preferential.

"(2) The Securities and Exchange Commission (SEC) is directed to study whether the regulated utilities in states that meet the criteria set forth in Subsection (c)(1) are uncreditworthy, or have defaulted on payments, because of transfers of funds to parent holding companies or to subsidiaries beyond payments in accordance with any state deregulation statutes. The SEC is to report its findings to the House Committee on En-

ergy and Commerce and the Senate Committees on Commerce and Energy and Natural Resources within 120 days of enactment."

Renumber the sequential subsections accordingly.

SA 3. Mrs. BOXER (for herself, Ms. MIKULSKI, Mr. WELLSTONE, Mr. MURKOWSKI, Mrs. FEINSTEIN, Mrs. CARNAHAN, and Mr. GRASSLEY) proposed an amendment to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; as follows:

At the end, add the following:

SEC. . STUDY OF NATURAL GAS RESERVE.

(a) FINDINGS.—Congress finds that—

(1) In the last few months, natural gas prices across the country have tripled.

(2) In California, natural gas prices have increased twenty-fold, from \$3 per million British thermal units to nearly \$60 per million British thermal units.

(3) One of the major causes of these price increases is a lack of supply, including a lack of natural gas reserves.

(4) The lack of a reserve was compounded by the rupture of an El Paso Natural Gas Company pipeline in Carlsbad, New Mexico on August 1, 2000.

(5) Improving pipeline safety will help prevent similar accidents that interrupt the supply of natural gas and will help save lives.

(6) It is also necessary to find solutions of the lack of natural gas reserves that could be used during emergencies.

(b) STUDY BY THE NATIONAL ACADEMY OF SCIENCES.—The Secretary of Energy shall request the National Academy of Sciences to—

(1) conduct a study to—

(A) determine the causes of recent increases in the price of natural gas, including whether the increases have been caused by problems with the supply of natural gas or by problems with the natural gas transmission system;

(B) identify any Federal or State policies that may have contributed to the price increases; and

(C) determine what Federal action would be necessary to improve the reserve supply of natural gas for use in situations of natural gas shortages and price increases, including determining the feasibility and advisability of a federal strategic natural gas reserve system; and

(2) not later than 60 days after the date of enactment of this Act, submit to Congress a report on the results of the study.

SA 4. Mr. MCCAIN (for himself and Mr. HOLLINGS) proposed an amendment to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; as follows:

On page 5, line 12, after "industry" insert "and employee organization".

On page 34, line 9, strike "sections 60525" and insert "section 60125".

On page 34, line 14, after "transferred" insert "to the Secretary of Transportation, as provided in appropriation Acts,"

On page 34, beginning in line 15, strike "fiscal year 2002, fiscal year 2003, and fiscal year 2004," and insert "each of fiscal years 2002, 2003, and 2004.".

On page 34, line 21, strike "60125" and insert "60301".

On page 35, line 1, strike "Transportation" and insert "Transportation, as provided in appropriation Acts,".

On page 36, line 5, strike "until—" and insert "until the earlier of the date on which—".

On page 36, line 6, strike "determines" and insert "determines, after notice and an opportunity for a hearing,".

On page 36, line 14, strike "Disciplinary action" and insert "Action".

SA 5. Mr. MCCAIN (for Mr. REED) proposed an amendment to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; as follows:

At the end, add the following:

SEC. . STUDY AND REPORT ON NATURAL GAS PIPELINE AND STORAGE FACILITIES IN NEW ENGLAND.

(a) **STUDY.**—The Federal Energy Regulatory Commission, in consultation with the Department of Energy, shall conduct a study on the natural gas pipeline transmission network in New England and natural gas storage facilities associated with that network. In carrying out the study, the Commission shall consider—

(1) the ability of natural gas pipeline and storage facilities in New England to meet current and projected demand by gas-fired power generation plants and other consumers;

(2) capacity constraints during unusual weather periods;

(3) potential constraint points in regional, interstate, and international pipeline capacity serving New England; and

(4) the quality and efficiency of the federal environmental review and permitting process for natural gas pipelines.

(b) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Federal Energy Regulatory Commission shall prepare and submit to the Senate Committee on Energy and Natural Resources and the appropriate committee of the House of Representatives a report containing the results of the study conducted under subsection (a), including recommendations for addressing potential natural gas transmission and storage capacity problems in New England.

SA 6. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 7 and insert the following:

SEC. 7. PUBLIC EDUCATION, EMERGENCY PREPAREDNESS, AND COMMUNITY RIGHT TO KNOW.

(a) **REQUIREMENTS.**—

(1) **PROGRAM REQUIREMENTS.**—

(A) **IN GENERAL.**—Section 60116 is amended to read as follows:

"§60116. Public education, emergency preparedness, and community right to know

"(a) PUBLIC EDUCATION PROGRAMS.—

"(1) REQUIREMENT FOR PROGRAMS.—

"(A) IN GENERAL.—Each owner or operator of a pipeline facility shall carry out a continuing program to educate the public about its facility.

"(B) CONTENT.—

"(i) INFORMATION.—The program shall include information on the use of a one-call

system for advance notification of an excavation and for other damage prevention actions, the possible hazards associated with unintended releases from the pipeline facility, the physical indications that such a release may have occurred, the steps that should be taken for public safety in the event of a pipeline release, and how to report such an event.

"(ii) OTHER ACTIVITIES.—The public education program shall also include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations.

"(2) PERIODIC REVIEW.—The Secretary or the appropriate State agency shall periodically review the public education program of each owner or operator of a pipeline facility.

"(3) PROGRAM ELEMENTS, STANDARDS, AND MATERIALS.—The Secretary may prescribe the elements of an effective public education program and standards for assessing the effectiveness of the program. The Secretary may also develop materials for use in the program.

"(b) EMERGENCY PREPAREDNESS.—

"(1) LIAISON REQUIREMENT.—Each operator of a pipeline facility shall maintain liaison—

"(A) with the Office of Pipeline Safety of the Department of Transportation;

"(B) with the Regional Emergency Response Coordinator for a region in which it operates; and

"(C) for each State in which the facility operates—

"(i) with the State emergency response commissions;

"(ii) with the local emergency planning committees in the areas of pipeline rights-of-way established under section 301 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001); and

"(iii) in the case of a community without a local emergency planning committee, with the local firefighting, police, and other emergency response agencies.

"(2) AVAILABILITY OF MAP INFORMATION.—

"(A) REQUIREMENT.—Each such operator shall make available to the entities referred to in paragraph (1) the map prepared by the operation under subsection (c)(1)(B)(v) in a format that is integrated into a commercial off-the-shelf in-vehicle portable computer global positioning system navigation mapping software used in first responder vehicles equipped with portable computers and responding to pipeline spills.

"(B) DESIGNATION OF REGIONAL EMERGENCY TRANSPORTATION COORDINATORS.—The Secretary shall designate the Regional Emergency Transportation Coordinator who, for the purpose of providing the most cost effective first responder mapping tool for coordinated emergency responses in within the Coordinator's region of responsibility, is—

"(i) to define the in-vehicle navigation mapping standards for the preparation of maps that are to be made available under subparagraph (A) for areas within that region; and

"(ii) to contract with the outsource mapping vendor.

"(c) COMMUNITY RIGHT TO KNOW.—

"(1) PERIODIC PIPELINE SEGMENT ASSESSMENT.—

"(A) CONDUCT; AVAILABILITY.—Each owner or operator of a pipeline facility shall, once every 5 years—

"(i) conduct a safety assessment of each pipeline segment of the facility under its operating control; and

"(ii) submit a report on the pipeline segment safety assessment to the Secretary and to the State or States in which the pipeline segment is located.

"(B) CONTENT.—The report on the safety assessment for a pipeline segment shall include, but not be limited to, the following:

"(i) The business name, address, and telephone number of the owner and operator of the pipeline segment (including any parent company).

"(ii) An emergency telephone number that provides at any time during the 24 hours of each day effective communication with the owner and operator's point of contact who is capable of identifying the material shipped through the pipeline segment.

"(iii) An emergency telephone number that provides at any time during the 24 hours of each day effective communication with the owner and operator's point of contact who is responsible, under the owner and operator's procedures, for beginning an emergency discontinuation of the transporting of gas or hazardous liquid through that segment.

"(iv) A description of the pipeline segment, including pipeline diameter, the substance or substances carried, maximum allowable operating pressure, construction material, and age.

"(v) A map showing the location of the right-of-way for the pipeline segment, the locations of any significant anomalies, the locations of any other significant conditions that are identified in inspections of the pipeline segment under the integrity management program carried out by the owner or operator under section 60109(c) or are known by other means, and the locations of any portions of the pipeline segment where operations could affect environmentally sensitive areas and high-density population areas.

"(vi) The primary causes of any pipeline failure for the segment.

"(vii) A history of safety incidents for the pipeline segment for the 5 years preceding the date of the report (including any incident involving death, injury, evacuation, environmental contamination, or property damage), together with safety-related condition reports filed by an operator under section 60102(h) and a report of a pipeline incident filed by an operator under this chapter.

"(viii) A history of the actions that have been taken to prevent pipeline hazards for the segment during the 5 years preceding the date of the report, including a discussion of the testing methods, the dates of testing, inspection and testing results, and repair history.

"(ix) The spill mitigation technologies in use for the pipeline segment, together with a description of the shut-off valve distances and leak detection technologies and sensitivities.

"(x) A history of the inspections and the enforcement actions that have been undertaken with respect to the pipeline segment during the 5 years preceding the date of the report.

"(xii) Any additional identification, safety, or integrity management information that the Secretary requires.

"(2) NATIONAL PIPELINE REGISTRY.—

"(A) ESTABLISHMENT.—The Secretary shall within 180 days of enactment of this act, maintain a National Pipeline Registry of the pipeline segment safety assessments received by the Secretary under paragraph (1).

"(B) PUBLIC INFORMATION.—The Secretary shall make the pipeline segment safety assessments in the National Pipeline Registry available on the Internet free of charge.

"(3) PIPELINE SEGMENT DEFINED.—In this subsection, the term 'pipeline segment' means a length of pipeline with homogeneous construction, operational, geographic, and ownership characteristics."

(B) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 601 is amended to read as follows:

“60116. Public education, emergency preparedness, and community right to know.”.

(2) SAFETY CONDITION REPORTS.—Section 60102(h)(2) is amended by striking “State authorities” in the second sentence and inserting “State officials, including the local emergency responders.”.

(b) REVIEW OF PUBLIC EDUCATION PROGRAMS.—

(1) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act, each owner or operator of a pipeline facility shall review its existing public education program to determine the effectiveness of the program and shall modify the program as necessary to improve the effectiveness of the program and to comply with the requirements of section 60116 of title 49, United States Code, as amended by subsection (a).

(2) SUBMITTAL TO SECRETARY.—Upon completing the review and any modification of the program resulting from the review, the owner or operator, as the case may be, shall submit a detailed description of the program to the Secretary of Transportation or, in the case of an intrastate pipeline facility, to the appropriate State agency.

(c) TIME FOR IMPLEMENTATION OF REQUIREMENTS.—

(1) OPERATOR LIAISON.—Each operator of a pipeline facility shall have the emergency response liaison required under subsection (b) of section 60116 of title 49, United States Code (as amended by subsection (a)), in place not later than one year after the date of the enactment of this Act.

(2) INITIAL PIPELINE SEGMENT REPORTS.—Each owner or operator of a pipeline facility shall perform the initial pipeline segment assessments for its pipeline facilities, and submit the initial reports on those assessments, under subsection (c)(1) of section 60116 of title 49, United States Code (as amended by subsection (a)), not later than one year after the date of the enactment of this Act.

(3) NATIONAL PIPELINE REGISTRY.—The Secretary of Transportation shall complete the establishment of the National Pipeline Registry required under subsection (c)(2) of section 60116 of title 49, United States Code (as amended by subsection (a)), not later than six months after the date of the enactment of this Act.

SA 7. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5, and insert the following:
SEC. 5. PIPELINE INTEGRITY INSPECTION PROGRAM.

(a) PROGRAM REQUIRED.—Section 60109 is amended by adding at the end the following new subsection:

“(c) RISK ANALYSIS AND INTEGRITY MANAGEMENT PROGRAMS.—

“(1) REQUIREMENT FOR OPERATOR PROGRAMS.—Each operator of a gas transmission or hazardous liquid pipeline facility shall conduct an analysis of the risks to each facility of the operator in an area identified pursuant to subsection (a)(1) and shall adopt and implement a written integrity manage-

ment program for such facility to reduce the risks.

“(2) REQUIRED ELEMENTS OF INTEGRITY MANAGEMENT PROGRAMS.—An integrity management program adopted by an operator of a facility in an area identified pursuant to subsection (a)(1) shall include, at a minimum, the following:

“(A) Provision for periodic inspection of the facility, by internal inspection device, pressure testing, direct assessment, or an alternative method that would provide an equal or greater level of safety, including a specification of—

“(i) the types of inspections;

“(ii) the frequency of the inspections, which shall not be less frequent than once every five years; and

“(iii) the manner in which the inspections or testing are to be conducted.

“(B) Clearly defined criteria for evaluating the results of—

“(i) inspections conducted under subparagraph (A); and

“(ii) any testing done in the inspection or as any other part of the integrity management program.

“(C) Procedures for ensuring that problems identified in such inspections or other testing are corrected in a timely manner.

“(D) A description of measures to prevent and mitigate the consequences of unintended releases from the facility, such as leak detection, integrity evaluation, emergency flow restricting devices, and other prevention, detection, and mitigation measures.

“(E) The types of information sources that must be integrated in assessing the integrity of the pipeline facility as well as the manner of integration.

“(F) The nature and timing of actions selected to address the integrity of the pipeline facility.

“(G) Any other factors that are appropriate for—

“(i) ensuring that the integrity of the pipeline facility is addressed; or

“(ii) providing appropriate mitigative measures for protecting areas identified under subsection (a)(1).

“(3) SYSTEMS TO MONITOR PRESSURE AND DETECT LEAKS; USE OF EMERGENCY FLOW RESTRICTING DEVICES.—The operator of a pipeline facility may also provide in an integrity management program under paragraph (1) for the following:

“(A) Changes to valves or the establishment or modification of systems that monitor pressure and detect leaks based on the operator’s risk analysis.

“(B) The use of emergency flow restricting devices.

“(4) INCREASED FREQUENCY OF INSPECTIONS.—

“(A) CONSIDERATIONS.—In determining whether to require inspection of a facility more frequently than once every five years, an operator shall take into account, as appropriate, the following:

“(i) The potential for development of new defects in the facility.

“(ii) The operational characteristics of the facility, including age, operating pressure, block valve location, corrosion history, spill history, and any known deficiencies in the method of pipeline construction or installation.

“(iii) The possible growth of new and existing defects.

“(B) OUTSIDE FORCE DAMAGE.—For purposes of subparagraph (A)(i), in considering the potential for development of new defects in a pipeline facility from damage by an outside force, an operator shall consider information

available about current or planned excavation activities and the effectiveness of damage prevention programs in the area.

“(5) STANDARDS FOR MINIMUM LEVEL OF PROTECTION.—An operator of a pipeline facility that is required to implement an integrity management program under paragraph (1) shall—

“(A) adopt standards under this subsection that provide a minimum level of protection for the operator’s facilities in areas identified pursuant to subsection (a)(1) that is at least equivalent to the applicable level of protection established by national consensus standards organizations; and

“(B) implement pressure testing and other integrity management techniques in a manner that minimizes environmental or safety risks, such as by use of water for pressure testing.

“(6) AUTHORITY AND RESPONSIBILITY OF SECRETARY.—

“(A) STANDARDS.—

“(i) AUTHORITY.—The Secretary may prescribe standards to direct an operator’s conduct of a risk analysis and adoption and implementation of an integrity management program under paragraph (1).

“(ii) INACTION BY SECRETARY.—The responsibility of an operator of a pipeline facility to conduct a risk analysis or adopt or implement an integrity management program under paragraph (1) shall not be affected by any failure of the Secretary to prescribe standards under this subparagraph.

“(B) REVIEW OF INTEGRITY MANAGEMENT PROGRAMS.—

“(i) TRANSMITTAL TO SECRETARY.—Each operator of a pipeline facility shall transmit to the Secretary a detailed description of the operator’s integrity management program in writing.

“(ii) AUTHORITY TO REVIEW.—The Secretary shall review the risk analysis and integrity management program and record the results of that review for use in the next review of the operator’s program.

“(iii) CONTEXT OF REVIEW.—The Secretary may conduct a review under clause (ii) as an element of the Secretary’s inspection of the operator.

“(iv) INADEQUATE PROGRAMS.—If the Secretary determines that an operator’s risk analysis or integrity management program is inadequate for the safe operation of a pipeline facility, the Secretary shall act under section 60108(a)(2) to require the operator to revise the risk analysis or integrity management program.

“(v) AMENDMENTS TO PROGRAMS.—In order to facilitate reviews under this subparagraph, an operator of a pipeline facility shall notify the Secretary of any amendment made to the operator’s integrity management program not later than 30 days after the date of the adoption of the amendment.

“(vi) TRANSMITTAL OF PROGRAMS TO STATE AUTHORITIES.—The Secretary shall provide a copy of a risk analysis and integrity management program reviewed by the Secretary under this subparagraph to any appropriate State authority with which the Secretary has entered into an agreement under section 60106.

“(7) STATE REVIEW OF INTEGRITY MANAGEMENT PLANS.—A State authority that enters into an agreement pursuant to section 60106, permitting the State authority to review the risk analysis and written program, may provide the Secretary with a written assessment of the risk analysis and integrity management program, make recommendations, as appropriate, to address safety concerns not adequately addressed by the operator’s risk

analysis or integrity management program, and submit documentation explaining the State-proposed revisions. The Secretary shall carefully consider the State's proposals and work in consultation with the States and operators to address safety concerns.

“(8) OPPORTUNITY FOR LOCAL INPUT ON INTEGRITY MANAGEMENT.—The Secretary shall, by regulation, establish a process for raising and addressing local safety concerns about pipeline integrity and operators' pipeline integrity programs. The process shall include the following:

“(A) A requirement that an operator of a hazardous liquid pipeline or an operator of a pipeline facility for the transmission of natural gas, as the case may be, provide information about the operator's risk analysis and integrity management program required under this section to local officials in the State in which the facility is located.

“(B) An identification of the local officials who are required to be informed, the information that is to be provided to them, and the manner (which may include traditional or electronic means) in which it is to be provided.

“(C) The means for receiving input from the local officials, which may include a public forum sponsored by the Secretary or by the State or the submission of written comments through traditional or electronic means.

“(D) The extent to which an operator must participate in a public forum sponsored by the Secretary or in another means for receiving input from the local officials or in the evaluation of that input.

“(E) The manner in which the Secretary will notify the local officials about how their concerns are being addressed.

“(9) BASELINE INTEGRITY ASSESSMENT.—An operator of a pipeline facility that is required to implement an integrity management program under paragraph (1) shall complete a baseline integrity assessment of each of the operator's facilities in areas identified pursuant to subsection (a)(1).”

(b) IMPLEMENTATION.—

(1) RISK ANALYSES AND INTEGRITY MANAGEMENT PROGRAMS.—The initial risk analyses and integrity management programs required under section 60109(c)(1) of title 49, United States Code (as added by subsection (a) of this section), shall be completed not later than one year after the date of enactment of this Act.

(2) BASELINE INTEGRITY ASSESSMENTS.—The initial baseline integrity assessment of the pipeline facility of each operator required under section 60109(c)(9) of title 49, United States Code (as added by subsection (a) of this section), shall be completed not later than five years after the date of the enactment of this Act.

(3) REVIEW.—

(A) REQUIREMENT FOR REVIEW.—Not later than 2 years after all integrity management programs required to be submitted within the time specified in paragraph (1)(A) have been received by the Secretary of Transportation, the Secretary shall complete an assessment and evaluation of the effects on safety and the environment of expanding the applicability of the requirements under section 60109(c) of title 49, United States Code (as added by subsection (a) of this section), to cover additional areas.

(B) SUBMITTAL TO CONGRESS.—The Secretary shall submit to Congress the Secretary's assessment and evaluation together with any recommendations for improving and expanding the utilization of integrity management programs under that subsection.

(4) OPPORTUNITY FOR LOCAL INPUT ON INTEGRITY MANAGEMENT.—The Secretary shall issue the regulations required under section 60109(c)(8) of title 49, United States Code (as added by subsection (a) of this section), not later than 18 months after the date of the enactment of this Act.

SA 8. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 4, and insert the following:

SEC. 4. QUALIFICATIONS OF PIPELINE PERSONNEL.

(a) PERSONNEL QUALIFICATION PLANS.—

(1) REQUIREMENT FOR PLANS.—Chapter 601 is amended by adding at the end the following:

(A) SUBMITTAL AND CERTIFICATION.—Chapter 601 is amended by adding at the end the following:

“§ 60129. Pipeline personnel qualification plans

“(a) QUALIFICATION PLANS.—

“(1) REQUIREMENT FOR PLANS.—Each operator of a pipeline facility shall make available to the Secretary a plan that is designed to enhance the qualifications of the operator's pipeline personnel and to reduce the likelihood of accidents and injuries. In the case of an intrastate pipeline facility, the appropriate State regulatory agency shall make the operator's plan available to the Secretary.

“(2) CONTENT.—The plan shall include, at a minimum, criteria for the demonstration of the ability of an individual to safely and properly perform tasks to which the standards prescribed under section 60102 apply. The plan shall also provide for training and periodic reexamination of pipeline personnel and for requalification of those personnel as appropriate, including qualification for inspecting the structural integrity of cable-suspension pipeline bridges.

“(b) UPDATING OF PLANS.—After submittal of an operator's plan under subsection (a), the operator shall revise or update the plan when appropriate to ensure the current validity of the plan and shall make the revised or updated plan available to the Secretary under that subsection.

“(c) REVIEW OF PLANS.—

“(1) INITIAL REVIEW.—The Secretary or, in the case of an intrastate pipeline facility, the appropriate State regulatory agency may review the qualification plan of an operator and certify the adequacy of the plan for ensuring a safe operating environment.

“(2) PERIODIC REVIEW.—The Secretary or, in the case of an intrastate pipeline facility, the appropriate State regulatory agency shall periodically review the qualification plan of an operator to determine whether the plan continues to ensure a safe operating environment.

“(d) STANDARDS.—The Secretary shall establish minimum standards for pipeline personnel training and evaluation, which may include written examination, oral examination, work performance history review, observation of job performance, on the job training, simulations, or other forms of assessment.”

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 601 is amended by adding at the end the following: “60129. Pipeline personnel qualification plans.”

(2) TIME FOR INITIAL SUBMITTAL.—Each entity operating a pipeline facility (within the meaning of section 60101(18) of title 49, United States Code) shall first submit a personnel qualification plan under section 60129 of such title (as added by subsection (a)) not later than April 21, 2001.

(b) TESTING AND CERTIFICATION.—Section 60102(a)(1)(C) is amended to read as follows:

“(C) shall include requirements that all individuals responsible for the operation and maintenance of pipeline facilities be tested for qualification to perform such functions and be certified by the Secretary as qualified to perform such functions, and may include a requirement that those individuals obtain additional education and training to qualify to perform such functions.”

(c) SUSPENSION OF CERTIFICATION.—Section 60102(a) is amended by adding at the end the following:

“(3) SUSPENSION OF CERTIFICATION.—

“(A) AUTHORITY.—The Secretary may suspend or revoke the certification of an individual under paragraph (1)(C) if the Secretary determines, after providing the individual with notice and opportunity for hearing, that the individual—

“(i) has contributed to a violation of any provision of this chapter or any regulation issued under this chapter; or

“(ii) willfully refuses to cooperate with the investigation of any such violation.

“(B) LIMITATION.—A certification of an individual may be suspended or revoked under subparagraph (A) only in a manner that is not inconsistent with the constitutional rights of the individual.”

SA 9. Mr. CORZINE submitted an amendment intended to be proposed by him to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 10(c), add the following:

(3) Section 60122(a) is amended by adding at the end the following:

“(3) A person who is the owner, operator, or person in charge of a hazardous liquid pipeline facility from which a hazardous liquid is discharged is liable to the Government for a civil penalty of at least \$1,000 per barrel of oil or other hazardous liquid discharged, except that a person may not be liable for a civil penalty under this subsection for a discharge if the person has been assessed a civil penalty under section 309 or 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1319; 1321(b)) for the discharge. A person may be liable for a civil penalty under this paragraph and paragraph (1) with respect to the same discharge.”

SA 10. Mr. CORZINE (for himself, Mr. TORRICELLI, Ms. CANTWELL, Mrs. MURRAY, and Mr. BINGAMAN) proposed an amendment to the bill S. 235, to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes; as follows:

Page 6, after line 21:

The assessment period shall be no less than every 5 years unless the DOT IG, after consultation with the Secretary determines—

There is not a sufficient capability or it is deemed unnecessary because of more technically appropriate monitoring or creates

undue interruption of necessary supply to fulfill the requirements under this paragraph.

SA 11. Mr. NICKLES (for Mr. McCONNELL) proposed an amendment to the concurrent resolution H. Con. Res. 14, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; as follows:

The first section of the resolution is amended by striking "April 18, 2001" and inserting "April 19, 2001".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. McCAIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 8, 2001 at 9:30 a.m., in open session, to receive testimony on the Secretary's priorities and plans for Department of Energy National Security Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. McCAIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on: Making Patient Privacy A Reality: Does The Final HHS Regulation Get The Job Done? during the session of the Senate on Thursday, February 8, 2001, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. McCAIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, February 8, 2001, at 10:00 a.m., in Dirksen 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

A TRIBUTE TO LORETTA SYMMS

Mr. DASCHLE. Mr. President, I want to add my voice to the chorus of those singing the praises of Loretta Symms. Much as I hate to say it, Loretta will be retiring as Deputy Sergeant of Arms at the end of this week.

We hear a lot of talk about bipartisanship these days—and that's good. But Loretta Symms was the walking, breathing personification of bipartisanship before bipartisanship was cool.

She is a consummate professional. As Deputy Sergeant at Arms, one of Loretta's many responsibilities is greeting visiting dignitaries. Over the years, she has escorted Presidents, Vice Presidents, foreign heads of state, and other visiting dignitaries through these hallways. In fact, she has probably met

more foreign leaders than most Senators. She is a good and gracious ambassador for this institution.

When it comes to the Senate, no chore is too big for Loretta—or too small. I understand she even put on rubber gloves once to show her staff how to clean. Her reverence for this building is something I share, and one of the many reasons I like her. Loretta feels strongly that the Capitol is the People's House. When visitors come here, she wants them to be treated with respect, and she wants them to be able to learn something they may not have known before. That is why she works so closely with the staff who work directly with the public.

Loretta has also made a difference in the lives of people in this building whom the public never sees. In her 14 years in the Sergeant at Arms office, she started a broad array of training programs to help employees sharpen their skills and advance their careers.

Beyond her considerable professional strengths, what I admire most about Loretta are her personal qualities: her kindness, and her generosity of spirit.

She has given her time—and in some cases, her own financial resources—to help other members of our Senate family through difficult times.

Between them, Loretta and her husband, our former colleague Steve Symms, share seven children. Many parents of seven would not have time for anyone else's children. But not Loretta. She is a surrogate Mom and confidante to many of our Senate pages.

Senators on both sides of the aisle also know they can count on Loretta to tell us honestly if she thinks we are wrong, and to encourage us when she thinks we are right. We will miss her good advice, her kind smile—and much more. As Loretta and Steve begin this next chapter in their lives, we wish them good luck and good health. We hope they have many great adventures, and we hope Loretta will come back to visit often.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING PRESIDENT CHANDRIKA BANDARANAIKE KUMARATUNGA AND THE PEOPLE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 10, S. Res. 17.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 17) congratulating President Chandrika Bandaranaike Kumaratunga and the people of the Democratic Socialist Republic of Sri Lanka on the celebration of 53 years of independence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. NICKLES. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 17) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 17

Whereas February 4, 2001, is the occasion of the 53rd anniversary of the independence of the Democratic Socialist Republic of Sri Lanka from Britain;

Whereas the present constitution of the Democratic Socialist Republic of Sri Lanka has been in existence since August 16, 1978, and guarantees universal suffrage; and

Whereas the people of the Democratic Socialist Republic of Sri Lanka and the United States share many values, including a common belief in democratic principles, a commitment to international cooperation, and promotion of enhanced trade and cultural ties: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates President Chandrika Bandaranaike Kumaratunga and the people of the Democratic Socialist Republic of Sri Lanka on the celebration of 53 years of independence;

(2) expresses best wishes to the Government and the people of the Democratic Socialist Republic of Sri Lanka as they celebrate their national day of independence on February 4, 2001; and

(3) looks forward to continued cooperation and friendship with the Government and people of the Democratic Socialist Republic of Sri Lanka in the years ahead.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President with the request that the President further transmit such copy to the Government of the Democratic Socialist Republic of Sri Lanka.

EXPRESSING SYMPATHY FOR THE VICTIMS OF THE DEVASTATING EARTHQUAKE IN EL SALVADOR

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 11, S. Res. 18.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 18) expressing sympathy for the victims of the devastating earthquake that struck El Salvador on January 13, 2001.